

July 22, 2020

The Honorable Seema Verma
Administrator
Centers for Medicare & Medicaid Services
U.S. Department of Health and Human Services
Hubert H. Humphrey Building, Room 445-G
200 Independence Avenue, SW
Washington, DC 20201

Dear Administrator Verma:

The undersigned organizations represent the hundreds of thousands of physicians who provide care for our nation's Medicare patients every day. We are writing to strongly support the Centers for Medicare & Medicaid Services (CMS) decision to temporarily waive certain regulatory requirements during the COVID-19 pandemic. These temporary waivers, in extraordinary circumstances, have empowered physicians and non-physician health care professionals to focus on their patients and prevented a collapse of the health care system in the hardest hit areas of the country. However, **we urge CMS to sunset the waivers involving scope of practice and licensure when the public health emergency (PHE) concludes.**

To our dismay, it is our understanding that some organizations have already been advocating to make the temporary waivers permanent—permanently diminishing physician oversight and supervision of patient care. While we are greatly appreciative of CMS' rapid and substantial removal of regulatory barriers to allow physicians to continue providing care during the PHE, we also strive to continue to work with CMS to support patient access to physician-led care teams during and after the PHE. Throughout the coronavirus pandemic, physicians, nurses, and the entire health care community have been working side-by-side caring for patients and saving lives. Now more than ever, we need health care professionals working together as part of physician-led health care teams.

The pandemic has forced health care systems to reassess how they allocate human resources. Non-essential surgeries have been postponed or cancelled during the pandemic in response to government directives and the necessity for greater flexibility to deploy physicians and other health care professionals to where the need is greatest. As a result, CMS has temporarily relaxed the direct oversight and licensure requirements to allow health care systems to stretch their capacity to treat more patients. While these measures are temporary and limited to the duration of the PHE, **our organizations reaffirm our support for the physician-led team-based approach to care and vigorously oppose efforts that undermine the physician-patient relationship during and after the pandemic.**

With seven or more years of postgraduate education and more than 10,000 hours of clinical experience, physicians are uniquely qualified to lead health care teams. By contrast, nurse practitioners (NPs) must complete only two to three years of graduate level education and 500-

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720 hours of clinical training. Physician assistant (PA) programs are two years in length and require 2,000 hours of clinical care. NPs and PAs are integral members of the care team, but the skills and acumen obtained by physicians throughout their extensive education and training make them uniquely qualified to oversee and supervise patients' care. Physician-led team-based care has a proven track record of success in improving the quality of patient care, reducing costs, and allowing all health care professionals to spend more time with their patients.

Accordingly, the undersigned urge CMS to sunset the waivers involving scope of practice and licensure when the PHE concludes. At a minimum, CMS should postpone any efforts to make these waivers permanent until after the conclusion of the PHE, and pursue such permanent waivers through notice-and-comment rulemaking. This will allow for a thorough and deliberate policy making process that ensures all stakeholders, including patients, are heard and give time for CMS to study the impact of the scope of practice waivers' on the cost and quality of patient care. We are happy to work with the agency on such studies and to ensure a seamless transition following the PHE.

The undersigned organizations believe that policymakers serve patients best by supporting physician-led team-based care that makes the most of the respective education and training of physicians and non-physician health professionals as part of a collaborative framework. Patients deserve to have a physician leading their team, whether that is for the treatment and management of chronic conditions, or for surgery. To that end, **the undersigned urge CMS to preserve the highest quality of care by preserving the physician-patient relationship and physician-led team-based care.**

Sincerely,

American Medical Association
American Academy of Child & Adolescent Psychiatry
American Academy of Dermatology Association
American Academy of Emergency Medicine
American Academy of Facial Plastic and Reconstructive Surgery
American Academy of Family Physicians
American Academy of Neurology
American Academy of Ophthalmology
American Academy of Otolaryngic Allergy
American Academy of Otolaryngology- Head and Neck Surgery
American Academy of Pediatrics
American Academy of Physical Medicine and Rehabilitation
American Association for Hand Surgery
American Association for Physician Leadership
American Association of Clinical Urologists
American Association of Hip and Knee Surgeons

American Association of Neurological Surgeons
American Association of Orthopaedic Surgeons
American College of Allergy, Asthma and Immunology
American College of Emergency Physicians
American College of Medical Genetics and Genomics
American College of Osteopathic Internists
American College of Osteopathic Surgeons
American College of Physicians
American College of Radiation Oncology
American College of Radiology
American College of Surgeons
American Gastroenterological Association
American Medical Women's Association
American Osteopathic Association
American Psychiatric Association
American Society for Aesthetic Plastic Surgery
American Society for Clinical Pathology
American Society for Dermatologic Surgery
American Society for Gastrointestinal Endoscopy
American Society for Laser Medicine and Surgery
American Society for Radiation Oncology
American Society for Regional Anesthesia and Pain Medicine
American Society for Surgery of the Hand
American Society of Cataract & Refractive Surgery
American Society of Dermatopathology
American Society of Echocardiography
American Society of Neuroradiology
American Society of Plastic Surgeons
American Urological Association
American Vein & Lymphatic Society
American Academy of Ophthalmology
College of American Pathologists
Congress of Neurological Surgeons
Heart Rhythm Society
National Association of Medical Examiners
North American Neuromodulation Society
North American Spine Society
Outpatient Endovascular & Interventional Society
Renal Physicians Association
Society of Interventional Radiology
Spine Intervention Society

Medical Association of the State of Alabama
Arizona Medical Association

Arkansas Medical Society
California Medical Association
Colorado Medical Society
Connecticut State Medical Society
Medical Society of Delaware
Medical Society of the District of Columbia
Florida Medical Association Inc
Medical Association of Georgia
Hawaii Medical Association
Idaho Medical Association
Illinois State Medical Society
Indiana State Medical Association
Iowa Medical Society
Kansas Medical Society
Kentucky Medical Association
Louisiana State Medical Society
Maine Medical Association
MedChi, The Maryland State Medical Society
Massachusetts Medical Society
Michigan State Medical Society
Minnesota Medical Association
Mississippi State Medical Association
Missouri State Medical Association
Montana Medical Association
Nebraska Medical Association
Nevada State Medical Association
Medical Society of New Jersey
New Mexico Medical Society
Medical Society of the State of New York
North Dakota Medical Association
Ohio State Medical Association
Oklahoma State Medical Association
Pennsylvania Medical Society
Rhode Island Medical Society
South Carolina Medical Association
South Dakota State Medical Association
Tennessee Medical Association
Texas Medical Association
Utah Medical Association
Vermont Medical Society
Medical Society of Virginia

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Washington State Medical Association
West Virginia State Medical Association
Wisconsin Medical Society
Wyoming Medical Society